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MARINE ENVIRONMENT PROTECTION
COMMITTEE
44th session
Agenda item 6

MEPC 44/6
31 August 1999
Original: ENGLISH

CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

Amendments to the Appendix to Annex III of MARPOL 73/78

Note by the Secretariat

	SUMMARY
Executive summary:	This document sets out proposed amendments to the Appendix to Annex III of MARPOL 73/78. These amendments were approved by MEPC 43 and circulated under cover of Circular letter No. 2148 of 31 August 1999.
Action to be taken:	Paragraph 3
Related documents:	MEPC 43/21, paragraph 8.47 and Circular letter No. 2148

Introduction

1   The Committee will recall that, at its forty-third session, it considered and approved the proposed amendments to the Appendix to Annex III of MARPOL 73/78 (MEPC 43/21, paragraph 8.47).

2   The proposed amendments were circulated by the Secretary-General of the Organization, in accordance with article 16(2)(a) of MARPOL 73/78, under cover of Circular letter No. 2148 of 31 August 999.

Action requested of the Committee

3   The Committee is invited to consider the proposed amendments, annexed hereto, with a view to their adoption in accordance with article 16(2)(d) of MARPOL 73/78.

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ANNEX

RESOLUTION MEPC … (44)

Adopted on [13] March 2000

AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

(Amendments to the Appendix to Annex III of MARPOL 73/78)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1973 Convention") and article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, (hereinafter referred to as the "1978 Protocol") which together specify the amendment procedure of the 1978 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL 73/78),

HAVING CONSIDERED the proposed amendments to the Appendix to Annex III of MARPOL 73/78,

1.   ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, the amendments to the Appendix to Annex III of MARPOL 73/78, the text of which is set out at annex to the present resolution;

2.   DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on [1 February 2001], unless prior to the date, not less than one-third of the Parties or the Parties combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;

3.   INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the amendments shall enter into force on [1 August 2001] upon their acceptance in accordance with paragraph 2 above;

4.   REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to MARPOL 73/78 certified copies of the present resolution and the text of the amendments contained in the annex; and

5.   REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL 73/78 copies of the resolution and its annex.

ANNEX

PROPOSED AMENDMENTS TO THE APPENDIX TO ANNEX III OF MARPOL 73/78

The clause "-liable to produce tainting of seafood (Hazard Rating "T" in column A*); or" and its footnote* are deleted from the Appendix to Annex III of MARPOL 73/78.

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